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APPLICATION NO. FILING DATE		G DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/955,677	77 09/19/2001		Shao-Wen Hsia	02SPE113P-DIV2	1411	
25700	7590	06/03/2003				
	& FARJAM	I LLP	EXAMINER			
16148 SANI IRVINE, CA	O CANYON 92618			SOWARD	SOWARD, IDA M	
				ART UNIT	PAPER NUMBER	
				2822		
			DATE MAILED: 06/03/2003			

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    0995.677		Application No.	Applicant(s)							
Examiner	Advisory Action	09/955,677	HSIA ET AL.	•						
The RRPLY FILED 12 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALL COVANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed amendment which places the application in condition for allowance. (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)]  a) The period for reply expires 2 months from the mailing date of the final rejection. b) The period for reply expires and the statutory period for reply expires and the statutory period for reply expires on (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. Only CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TO ALL CHECK THE ALL CHECK	Advisory Addion	Examiner	Art Unit							
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Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either (1) a timely field amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134.  PERIOD FOR REPLY (check either a) or b)  The period for reply expires 3 months from the mailing date of the Mail rejection.  The period for reply expires 3 months from the mailing date of the Mail rejection.  NEY CHECK THIS 800 WHEN THE FIRST REPLY WAS THE WILLIAM STANDING MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extensive ender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shorthered stativory period for file in the final rejection. See MPEP 706.07(f) in me may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extensive ender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shorthered stativory period for rejor originality set in the final rejection. (2) as set forth in (b) above, if checked. Any reply received by the office later than three months after the mailing date of the final rejection, even if timely filed, may require a set of the shorthered stativory period for rejor originality set in the final original set of the final rejection.  A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  The proposed amendment(s) will not be entered because:  (a) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (b) they are not deemed to pla	The MAILING DATE of this communication appears on the cover sheet with the correspondence address									
a) The period for reply expires 0 months from the mailing date of the final rejection. b) The period for reply expires 0 m. (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. no event, however, will the statutory period for reply expire later than SIX MONTHS for the Final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP CATALOGUE of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension to time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension the box of the state of the state of the petition of the petition under 37 CFR 1.136(a) and the appropriate extension the box of the state of the state of the petition of the petition under 37 CFR 1.136(a) and the appropriate extension the under 37 CFR 1.136(a) and the period of extension and the corresponding amount of the fee. The appropriate extension test of the state of the state of the state of the seed of the state of the seed	Therefore, further action by the applicant is required to av final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) condition for allowance; (2) a timely filed Notice of Appeal	roid abandonment of this applica a a timely filed amendment which	ation. A proper reply h places the applica	y to a tion in						
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(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE:										
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	10. Other:	S	LIDZEVISORY PATEN	EXMAILE.						

Continuation of 5. does NOT place the application in condition for allowance because: the final rejection still holds for the claims amended after fixial. The Gutsche et al. reference disclose the newly added limitation of independent claims 1, 9 and 17 which is "wherein the inorganic dielectric ARC layer functions as a hard mask". Therefore, the final rejection was necessitated by amendment. Admitted Prior Art Figures 1a-3b is utilized for the teaching of an organic ARC layer 312 disposed on metal layer 314, and Gutsche et al. is utilized for the teaching of an inorganic silicon oxynitride hard mask 510. Gutsche et al. also discloses a residula photoresist layer 514 disposed on the inorganic dielectric ARC layer in Figure 5.

AMIR ZARABIAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800